



CONTINUED PROSECUTION APPLICATION (CPA)  
REQUEST TRANSMITTAL

Only for Continuation or Divisional Application under 37 CFR §1.53(d)

CPA 11/\$  
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|  |                      |                       |   |
|--|----------------------|-----------------------|---|
| Address to:<br>Assistant Commissioner for Patents<br>Box CPA<br>Washington, DC 20231<br>Art Unit: 1651<br>Examiner: H. Guttman | Attorney Docket No.  | GABIZON=1             | TECH CENTER 1600/2900<br>RECEIVED<br>AUG - 9 2001<br>TECHNOLOGY CENTER 2800<br>#14<br>8/13/01 |
|  | First Named Inventor | Alberto GABIZON et al |   |
|  | Total Pages          | 3                     |   |
|  | Date                 | August 6, 2001        |   |

This is a request for a ☐ continuation or ☒ **divisional** application under 37 CFR §1.53(d), (continued prosecution application (CPA)) of prior application number 09/555,674, filed on August 3, 2000, entitled **COMBINED CHEMO-IMMUNOTHERAPY WITH LIPOSOMAL DRUGS AND CYTOKINES**

1. ☒ Enter the unentered amendments previously filed on March 23, 2001 and May 11, 2001 under 37 CFR §1.116 in the prior non-provisional application.
2. ☐ A preliminary amendment is enclosed.  
☐ Any additional fee required by the filing of the enclosed preliminary amendment has been calculated in the table below.
3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR §1.53(d)(4).  
☐ **DELETE** the following inventor(s) named in the prior non-provisional application:  
\_\_\_\_\_  
☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. ☐ Information Disclosure Statement (IDS) is enclosed:  
☐ PTO-SB/08A  
☐ Copies of IDS citations
6. ☒ It is understood that no Information Disclosure Statement for prior art made of record in the parent application is necessary as the PTO automatically carries forward into this application all prior art from the parent application (MPEP Section 609, page 600-66).

| CLAIMS  | NUMBER FILED | NUMBER EXTRA | RATE       | CALCULATIONS |
|---|--------------|--------------|------------|--------------|
| Total Claims<br>(37 CFR §1.16(c))   | 23 - 20      | = 3          | x 18.00 =  | \$ 54.00     |
| Independent Claims<br>(37 CFR §1.16(b))   | 2 - 3        | = 0          | x 80.00 =  | .00          |
| Multiple Dependent Claims (if applicable)<br>(37 CFR § 1.16(d))                 |              |              | + 270.00 = | .00          |
| BASIC FEE (37 CFR §1.16(a))   |              |              |            | 710.00       |
| Total of Above Calculations =   |              |              |            | \$ 764.00    |
| REDUCTION BY 50% FOR FILING BY SMALL ENTITY<br>(Note 37 CFR §§ 1.9, 1.27, 1.28) |              |              |            |              |
| TOTAL =   |              |              |            | \$ 764.00    |

08/07/2001 SDENB081 00000071 09555674

01 FC:131  
02 FC:103

710.00 OP  
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7. Small Entity Status

- ☐ A small entity statement is enclosed.  
☐ A small entity statement was filed in the prior non-provisional application, and  
☐ such status is still proper and desired.  
☐ is no longer claimed.

8. ☐ It is hereby petitioned for an extension of time in accordance with 37 CFR §1.136(a). The appropriate fee required by 37 CFR §1.17 is calculated as shown below:

Small Entity

Response Filed Within

- ☐ First - \$ 55.00  
☐ Second - \$ 195.00  
☐ Third - \$ 445.00  
☐ Fourth - \$ 695.00

Month After Time Period Set

- ☐ Less fees (\$ ) already paid for month(s) extension of time on

Other Than Small Entity

Response Filed Within

- ☐ First - \$ 110.00  
☐ Second - \$ 390.00  
☐ Third - \$ 890.00  
☐ Fourth - \$ 1390.00

Month After Time Period Set

9. ☒ Credit Card Payment form PTO-2038, authorizing payment of \$ 764.00 is attached.

10. ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 02-4035:

- ☒ Fees required under 37 CFR §1.16.  
☒ Fees required under 37 CFR §1.17.  
☐ Fees required under 37 CFR §1.18.

11. ☒ If a paper is untimely filed in this or any CPA thereof by Applicant(s), the Commissioner is hereby petitioned under 37 CFR §1.136(a) for the minimum extension of time required to make said paper timely. In the event a petition for extension of time is made under the provisions of this paragraph, the Commissioner is hereby requested to charge any fee required under 37 CFR §1.17 to Deposit Account No. 02-4035.

12. ☐ Other: \_\_\_\_\_

BROWDY AND NEIMARK

Attorneys for Applicant(s)

By:

Sheridan Neimark  
 Registration No. 20,520

- ☒ Attorney or Agent of record in prior case

- ☐ Filed under 37 CFR §1.34(a)

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